

111TH CONGRESS  
1ST SESSION

# H. R. 18

To amend the Controlled Substances Act and the Controlled Substances Import and Export Act with respect to penalties for powder cocaine and crack cocaine offenses.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. BARTLETT introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Controlled Substances Act and the Controlled Substances Import and Export Act with respect to penalties for powder cocaine and crack cocaine offenses.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Powder-Crack Cocaine  
5       Penalty Equalization Act of 2009”.

1 **SEC. 2. TRAFFICKING.**

2 (a) 50-GRAM PENALTY.—Section 401(b)(1)(A) of the  
3 Controlled Substances Act (21 U.S.C. 841(b)(1)(A)) is  
4 amended—

5 (1) in clause (ii), by striking “5 kilograms” and  
6 inserting “50 grams”; and

7 (2) by striking clause (iii).

8 (b) 5-GRAM PENALTY.—Section 401(b)(1)(B) of the  
9 Controlled Substances Act (21 U.S.C. 841(b)(1)(B)) is  
10 amended—

11 (1) in clause (ii), by striking “500 grams” and  
12 inserting “5 grams”; and

13 (2) by striking clause (iii).

14 **SEC. 3. POSSESSION.**

15 Section 404(a) of the Controlled Substances Act (21  
16 U.S.C. 844(a)) is amended by striking “cocaine base” and  
17 inserting “any controlled substance described in section  
18 401(b)(1)(A)(ii)”.

19 **SEC. 4. IMPORT AND EXPORT.**

20 (a) 50-GRAM PENALTY.—Section 1010(b)(1) of the  
21 Controlled Substances Import and Export Act (21 U.S.C.  
22 960(b)(1)) is amended—

23 (1) in subparagraph (B), by striking “5 kilo-  
24 grams” and inserting “50 grams”; and

25 (2) by striking subparagraph (C).

1       (b) 5-GRAM PENALTY.—Section 1010(b)(2) of the  
2 Controlled Substances Import and Export Act (21 U.S.C.  
3 960(b)(2)) is amended—

4           (1) in subparagraph (B), by striking “500  
5 grams” and inserting “5 grams”; and

6           (2) by striking subparagraph (C).

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